

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING
4

5 STATE MEDICAL BOARD
6

7 MINUTES OF MEETING
8 Thursday, October 28, 2021
9

10 *These are DRAFT minutes prepared by staff of the Division of Corporations, Business and Professional*
11 *Licensing. They have not been reviewed or approved by the Board.*
12

13 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a special meeting of
14 the Alaska State Medical Board was held Thursday, October 28, 2021
15

16 **1. Call to Order/ Roll Call**

17 The meeting was called to Order by Chair Wein at 4:33 p.m.
18

19 **Roll Call**

20 Board members present:

21 Sarah Bigelow Hood, PA-C
22 Maria Freeman, MD
23 Lydia Mielke, Public Member
24 Steve Parker, MD
25 Richard Wein, MD (Chair)
26

27 Board staff present: Natalie Norberg, Executive Administrator
28

29 **2. Military Courtesy License Requirements/Overview**
30

31 Chair Wein invited Ms. Norberg to provide an overview of a new state law, effective January 1, 2022.
32 The law requires the division and all professional boards to create an expedited process (within 30 days
33 of application) for active duty military personnel and their spouses the ability to obtain professional
34 licensure for those individuals who hold a “substantially equivalent unencumbered license.” This new
35 mandate will require the Board to adopt new regulations and application form and for staff to develop
36 and implement an expedited review process for military personnel. Division staff recommend modifying
37 the existing Emergency Courtesy License application and the process adopted for this application type
38 for the new Military Courtesy Medical License.
39

40 Board members were invited to ask questions and discuss any concerns. Dr. Parker inquired about
41 whether it would be possible for the Board to grant full licensure, rather than a 180-day time limited
42 courtesy license to military applicants. The pros and cons of this option were explored. Dr. Wein raised
43 concerns about specific language included in the law that could potentially lead to future legal
44 challenges such as the issue of determining “substantially equivalent” and the requirement that eligible
45 spouses be both “married to and living with” each other. The proposal to modify the existing
46 Emergency Courtesy License application was explored with members reviewing the current ECL

1 application and agreeing that they would like the opportunity to review and provide feedback on the
2 new Military Courtesy Medical License application before it is implemented.

3 4 **3. Review of Proposed Regulation Change**

5
6 Chair Wein introduced the language for the draft regulation change (see Attachment I).

7
8 **On a motion duly made by Dr. Parker and seconded by Ms. Bigelow-Hood, the Board**
9 **approved by roll call vote to accept the new section related to the addition of a**
10 **military courtesy license to 12 AAC 40 as discussed on record to be sent for cursory**
11 **review by Department of Law, and for written public comments to be returned for**
12 **board consideration.**

13
14 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Freeman, Ms. Mielke, Dr. Parker and Dr. Wein

15 16 **4. Wrap Up and Adjournment**

17
18 Ms. Norberg provided a reminder regarding the next quarterly meeting date and time and advised
19 applicant files for review would be uploaded in Board member folders by October 29.

20
21 The Meeting was adjourned by unanimous consent at 5:32 p.m.

New Section:

12 AAC 40.046 MILITARY COURTESY LICENSE.

(a) The board may issue a military courtesy license to an active duty member of the armed forces of the United States or the spouse of an active duty member of the armed forces who is married to and living with a member of the armed forces of the United States who is on active duty and assigned to a duty station in this state under official active duty military orders. The board, executive administrator, or the board's designee may issue a military courtesy license under this subsection to an applicant who practices medicine or osteopathy, or who practices as a physician assistant. A military courtesy license may be issued under this subsection to a person who

(1) holds a current unencumbered license to practice as a physician, osteopath or physician assistant, in another jurisdiction, or holds a retired license under AS 08.64.276 that has been issued less than two years;

(2) submits a completed application on a form provided by the department, and

(A) if a physician or osteopath,

(i) verification of a current license to practice medicine or osteopathy in good standing and not under investigation or verification of a retired license issued under AS 08.64.276;

(ii) clearance from the Federation of State Medical Boards;

(iii) clearance from the National Practitioner Data Bank; and (iv) clearance from the federal Drug Enforcement Administration;

(B) if a physician assistant,

(i) verification of a current license to practice medicine in good standing and not under investigation in the jurisdiction in which the applicant resides;

(ii) clearance from the Federation of State Medical Boards;

(iii) clearance from the National Practitioner Data Bank; and (iv) clearance from the federal Drug Enforcement Administration;

(b) A military courtesy license is valid for 180 days and may be extended at the discretion of the department or appropriate board for one additional 180-day period, on application of the holder of the temporary courtesy license.

(c) A courtesy license holder is subject to all relevant provisions of AS 08.64, this chapter, and any other statutes or regulations governing the practice of medicine and the prescription of drugs in this state.

(c) The board may refuse to issue a military courtesy license or an emergency courtesy license for the same reasons it may deny, suspend, or revoke a license under AS 08.64.326.